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JUN 11 2014	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

**ABET Justice L.L.C. and
Guetatchew Fikrou (Plaintiffs)**
P.O. Box 81282
Las Vegas, NV. 89180
Cell (240) 938 3653
Email: gfikrou@yahoo.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

ABET JUSTICE L.L.C.
P.O. B ox 81282
Las Vegas, NV. 89180
Guetatchew Fikrou (Owner of ABET Justice L.L.C.)
P.O. B ox 81282
Las Vegas, NV. 89180
Cell (240) 938 3653
Email: gfikrou@yahoo.com

2:14-cv-00908-JCM-GWF

COMPLAINT

JURY TRIAL DEMANDED

Plaintiffs

Vs.

First America Trustee Servicing Solutions, L.L.C.
6 Campus Circle, 2nd Floor
Westlake, TX. 76262
(800) 795-5042

THE BANK OF NEW YORK MELLON FKA
The Bank of New York as Trustee for the Certificate-
Holders of CWMBC, INC., CHL Mortgage Pass-
Through Trust 2007-J2 Mortgage Pass-Through
Certificates, Series 2007-J2 ("The Bank of NY")
c/o Residential Credit Solutions, Inc.
4708 Mercantile Drive
FT. Worth, TX. 76137

Residential Credit Solutions, Inc.
4708 Mercantile Drive
FT. Worth, TX. 76137

DOES I through XI;

Defendants

- 1 1. COMES NOW, Plaintiff ABET Justice L.L.C. ("ABET") and Plaintiff Guetatchew
2 Fikrou ("Fikrou") (or jointly "The Plaintiffs") complains of the Defendants and allege as
3 follows:
- 4 2. ABET is a Nevada limited liability corporation with a principal place of business
5 address: P.O. Box 81282 Las Vegas, NV 89180 and doing business in Clark County.
- 6 3. Plaintiff Guetatchew Fikrou is the owner of ABET Justice L.L.C., and is a resident of
7 Nevada with a principal place of business address: P.O. Box 81282 Las Vegas, NV
8 89180 and doing business in Clark County.
- 9 4. ABET is the owner of the real property commonly known as 2138 Montana Pine Drive,
10 Henderson NV 89052, (herein after "subject property") pursuant to NRS 116.31162,
11 116.31163 and 116.31164, and legally described as SUNRIDGE SUMMIT HGTS, PLAT
12 BOOK 113, PAGE 98, LOT 162, BLOCK 6 Clark County, APN # 178-32-312-010.
- 13 5. The Plaintiffs acquired title by way of foreclosure deed recorded April 11, 2014 (See
14 copy of the deed attached herewith and marked as Exhibit A).
- 15 6. On information and belief, the Defendant **BANK OF NEW YORK MELLON FKA**
16 The Bank of New York as Trustee for the Certificate holders of CWMBC, INC., CHL
17 Mortgage Pass-Through Trust 2007-J2 Mortgage Pass-Through Certificates, Series 2007-
18 J2 ("**Bank of NY**") is the full name of the current holder of the note and the full name of
19 the current beneficiary of record of the Deed of Trust of the subject property located at
20 2138 Montana Pine Dr., Henderson NV. 89052.
- 21 7. On information and belief, the Defendant **Bank of NY's** principal place of business
22 address is at: c/o Residential Credit Solutions, Inc. 4708 Mercantile Drive FT. Worth,
23 TX. 76137; and doing business in Clark County.
- 24 8. On information and belief, the Defendant **First America Trustee Servicing Solutions,**
25

1 **L.L.C.** (hereafter referred to as "**FATSS**") is the full name of the current trustee or the
2 current trustee's representative or assignee with its business address located at 6 Campus
3 Circle, 2nd Floor, Westlake, TX. 76262 and doing business in Clark County.

4 9. On information and belief, the Defendant **Residential Credit Solutions, Inc.**'s principal
5 place of business address is at 4708 Mercantile Drive FT. Worth, TX. 76137; and doing
6 business in Clark County.

7 10. The true names and capacities of Defendants named herein as DOES I through XI,
8 inclusive, whether individual, corporate, associate or otherwise, are presently unknown to
9 Plaintiffs who therefore sue said Defendants by such fictitious names; and when the true
10 names and capacities of DOES I through XI, inclusive are discovered, Plaintiffs will ask
11 leave to amend this Complaint to substitute the true names of said Defendants. Plaintiffs
12 are informed, believe and therefore allege that Defendants so designated herein are
13 responsible in some manner for the events and occurrences contained in this action.

14 **JURISDICTION**

15 11. Jurisdiction of this Court is under 28 U.S.C. § 1331, 12 U.S.C. 2601 et seq. (Real
16 Estate Settlement Procedures Act); and 15 U.S.C. § 1692 et seq. (Fair Debt Collection
17 Practices Act), and over the statutory and common-law violations of Nevada and common
18 law.

19 12. Title 28 U.S.C. § 1332 provides that "district courts shall have original jurisdiction of all
20 civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive
21 of interest and costs, and is between" parties that reside in different states. Plaintiffs are
22 invoking the diversity jurisdiction under 28 U.S.C. § 1332.
23 13. Venue is proper in this district because all defendants conducted business in Nevada

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25

1 and the subject Note and Deed of Trust was executed in Nevada.

2 14. Plaintiffs respectfully reserve the right to amend this complaint.

3
4 **FIRST CLAIM FOR RELIEF**

5 15. All preceding paragraphs are incorporated herein as though fully set forth.

6 16. Plaintiffs are entitled to a determination from this Court, pursuant to NRS 40.010 that the
7 Plaintiffs are the rightful owner of the property and that the defendants have no right,
8 title, interest or claim to the subject property.
9

10 **SECOND CLAIM FOR RELIEF**

11 17. All preceding paragraphs are incorporated herein as though fully set forth.

12
13 18. Plaintiffs seek a declaration from this Court, pursuant to NRS 40.010 that the title in the
14 property is vested in Plaintiffs free and clear of all liens and encumbrances, that the
15 Defendants herein have no estate, title or interest in the property, and that Defendants are
16 forever enjoined from asserting any estate, title, right, interest or claim to the subject
17 property adverse the Plaintiffs.
18

19 19. The Plaintiffs are entitled to an award of attorney's fees and costs.

20 20. **WHEREFORE**, the Plaintiffs pray for judgment against Defendants as follows:

21 1. For a determination and declaration from this Court, pursuant to NRS 40.010
22 that the title in the property is vested in Plaintiffs free and clear of all liens and
23 encumbrances;
24

25 2. For a determination and declaration from this Court, pursuant to NRS 40.010

1 that the Defendants herein have no estate, title, claim or interest in the subject property;

2 3. For a Judgment forever enjoining Defendants from asserting any estate, title,
3 right, interest or claim to the subject property;

4 4. For Costs and attorney's fees pursuant to 18 USC § 1964(c) and relevant Nevada law;

5 5. Cost of litigation as provided in Title 15 United States Code, Section 1601 et. seq.;

6 6. For Compensatory and Punitive damages as allowed by law; and

7 7. For Such other and further relief available under all applicable state and federal
8 laws and any relief the Court deems just and appropriate.
9

10
11 **REQUEST FOR JURY TRIAL**

12 Pursuant to rule 38(a) of the F.R.C.P.

13 The Plaintiffs request a jury trial as to all issues tribal by a jury.

14
15 Respectfully submitted this 10th day of June, 2014.

16
17 
18

19 Guetatchew Fikrou, Plaintiff
20 (For ABET Justice L.L.C.)
21 P.O. Box 81282
22 Las Vegas, NV. 89180
23 Cell (240) 938 3653
24 Email: gfikrou@yahoo.com
25

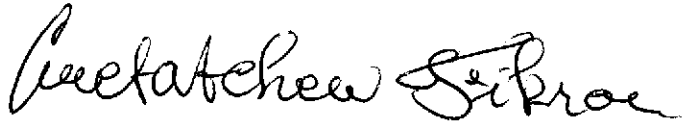
VERIFICATION

I, Guetatchew Fikrou, Owner of ABET Justice L.L.C, I am the Plaintiff in the above-entitled action; that I have read the foregoing document and I am competent to testify that the contents are true of my own knowledge except for those matters stated therein on information and belief; and, as to those matters, I believe them to be true.

Dated: June 10, 2014.



Guetatchew Fikrou **Plaintiff**
(and For ABET Justice L.L.C.)
P.O. Box 81282
Las Vegas, NV. 89180
Cell (240) 938 3653
Email: gfikrou@yahoo.com
Signature of Plaintiff



Guetatchew Fikrou **Plaintiff**
(and For ABET Justice L.L.C.)
P.O. Box 81282
Las Vegas, NV. 89180
Cell (240) 938 3653
Email: gfikrou@yahoo.com
Print Name of Plaintiff

EXHIBIT A

Please mail tax statement and
when recorded mail to:
ABET Justice, L.L.C.
3845 Amber Flower Court
Las Vegas, NV 89147

FORECLOSURE DEED

APN # 178-32-312-010

NAS # N74724

The undersigned declares:

Nevada Association Services, Inc., herein called agent (for the Sunridge Heights), was the duly appointed agent under that certain Notice of Delinquent Assessment Lien, recorded September 11, 2013 as instrument number 0003794 Book 20130911, in Clark County. The previous owner as reflected on said lien is Shanon Clymer Moore. Nevada Association Services, Inc. as agent for Sunridge Heights does hereby grant and convey, but without warranty expressed or implied to: ABET Justice, L.L.C. (herein called grantee), pursuant to NRS 116.31162, 116.31163 and 116.31164, all its right, title and interest in and to that certain property legally described as: SUNRIDGE SUMMIT HGTS, PLAT BOOK 113, PAGE 98, LOT 162, BLOCK 6 Clark County

AGENT STATES THAT:

This conveyance is made pursuant to the powers conferred upon agent by Nevada Revised Statutes, the Sunridge Heights governing documents (CC&R's) and that certain Notice of Delinquent Assessment Lien, described herein. Default occurred as set forth in a Notice of Default and Election to Sell, recorded on 10/28/2013 as instrument # 0003417 Book 20131028 which was recorded in the office of the recorder of said county. Nevada Association Services, Inc. has complied with all requirements of law including, but not limited to, the elapsing of 90 days, mailing of copies of Notice of Delinquent Assessment and Notice of Default and the posting and publication of the Notice of Sale. Said property was sold by said agent, on behalf of Sunridge Heights at public auction on 4/11/2014, at the place indicated on the Notice of Sale. Grantee being the highest bidder at such sale, became the purchaser of said property and paid therefore to said agent the amount bid \$42,100.00 in lawful money of the United States, or by satisfaction, pro tanto, of the obligations then secured by the Delinquent Assessment Lien.

Dated: April 11, 2014



By Elissa Hollander, Agent for Association and Employee of Nevada Association Services

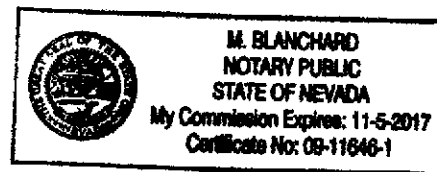
STATE OF NEVADA)
COUNTY OF CLARK)

On April 11, 2014, before me, M. Blanchard, personally appeared Elissa Hollander personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same in his/her authorized capacity, and that by signing his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and seal.

(Seal)

(Signature)



M. Blanchard

**STATE OF NEVADA
DECLARATION OF VALUE**

1. Assessor Parcel Number(s)

- a. 178-32-312-010
b. _____
c. _____
d. _____

2. Type of Property:

- a. ☐ Vacant Land b. ☒ Single Fam. Res.
c. ☐ Condo/Twnhse d. ☐ 2-4 Plex
e. ☐ Apt. Bldg f. ☐ Comm'l/Ind'l
g. ☐ Agricultural h. ☐ Mobile Home
Other _____

FOR RECORDERS OPTIONAL USE ONLY

Book _____ Page: _____

Date of Recording: _____

Notes: _____

3.a. Total Value/Sales Price of Property

\$ 42,100.00

b. Deed in Lieu of Foreclosure Only (value of property (_____)

c. Transfer Tax Value: \$ 392,706.00

d. Real Property Transfer Tax Due \$ 2,004.30

4. **If Exemption Claimed:**

a. Transfer Tax Exemption per NRS 375.090, Section _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____

Capacity: NAS Employee/Agent for HOA

Signature _____

Capacity: _____

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Nevada Association Services

Address: 6224 W. Desert Inn Road

City: Las Vegas

State: NV

Zip: 89146

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: ABET Justice, L.L.C.

Address: 3845 Amber Flower Court

City: Las Vegas

State: NV

Zip: 89147

COMPANY/PERSON REQUESTING RECORDING (Required if not seller or buyer)

Print Name: _____

Escrow # _____

Address: _____

City: _____

State: _____

Zip: _____

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED